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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.996 OF 2007

Mahadev Shama Patil ... Petitioner
versus
Smt.Anusaya Sudam Patil & ors. ... Respondents

Mr.R.G.Jagtap for petitioner.

CORAM : A.S.OKA, J.

DATE : 17th April 2007

PC :

1. By this writ petition under Article 227 of the Constitution of India, the original plaintiff has taken an exception to the order dated 22nd November 2006 passed by the Trial Court. By the order impugned, an application for amendment of the plaint made by the petitioner was rejected. One of the grounds on which the application is rejected is that the application was made at the stage when evidence of the petitioner was closed and the contesting defendant had filed an affidavit of examination-in-chief.

2. No case is made out for interference at this

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stage. In the event the decree passed in the suit is adverse to the petitioner, the order impugned can always be subjected to the challenge in an appeal which may be preferred by the petitioner against the decree. Subject to what is stated above, the writ petition is rejected.

(A.S.OKA, J.)